Remarks

In the present response, no claims are amended. Claims 1 – 20 are presented for examination.

Claim Rejections: 35 USC § 102(e)

Claims 1-5, and 8-20 are rejected under 35 USC § 102(e) as being anticipated by USPN 7,058,573 (Murveit). These rejections are traversed.

The claims recite numerous recitations that are not taught or even suggested in Murveit. Some examples are provided for the independent claims.

Claim 1

As one example, claim 1 recites assessing resources of a plurality of different ASR engines. Murveit does not assess resources of <u>plural different</u> ASR engines. By contrast, Murveit uses a <u>single</u> ASR engine to perform multiple passes for speech input. Specifically, figure 2 in Murveit shows a single speech recognition system 200 having a single processor 202. The processor performs a first speech recognition technique on the input. Then, the same processor performs a second speech recognition technique on the input (see column 2, lines 38-64). Nowhere does Murveit teach or even suggest using plural different ASR engines. Further, nowhere does Murveit teach or even suggest assessing resources of plural different ASR engines.

Anticipation under section 102 can be found only if a single reference shows exactly what is claimed (see *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985)). For at least these reasons, independent claim 1 and its dependent claims are allowable over Murveit.

As another example, claim 1 recites assigning the speech utterance to a single ASR engine if assessing resources is within a threshold value. The claim then recites assigning the speech utterance to a <u>plurality of different</u> ASR engines if assessing resources is within a threshold value. By contrast, Murveit uses a <u>single</u> ASR engine to perform multiple passes for speech input. Specifically, figure 2 in Murveit shows a single speech recognition system 200 having a single processor 202. The processor performs a first speech recognition technique on the input. Then, the same processor performs a

second speech recognition technique on the input (see column 2, lines 38-64). Nowhere does Murveit teach or even suggest using plural different ASR engines. Further, nowhere does Murveit teach or even suggest assigning a speech utterance to plural different ASR engines. In Murveit, the speech utterance is assigned to the same ASR engine.

For a prior art reference to anticipate under section 102, every element of the claimed invention must be identically shown in a single reference (see *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990)). For at least these reasons, independent claim 1 and its dependent claims are allowable over Murveit.

As yet another example, claim 1 recites "generating text of the speech utterance with either the single ASR engine or plurality of ASR engines." By contrast, Murveit generates text with only a single ASR engine, not a plurality of ASR engines.

Anticipation is established only when a single prior art reference discloses each and every element of a claimed invention united in the same way (see *RCA Corp. v. Applied Digital Data Systems, Inc.*, 730 F.2d 1440, 1444 (Fed. Cir. 1984)). For at least these reasons, independent claim 1 and its dependent claims are allowable over Murveit.

Claim 8

As one example, claim 8 recites means for selecting between a single ASR engine and a group of ASR engines. By contrast, Murveit uses a <u>single</u> ASR engine to perform multiple passes for speech input. Specifically, figure 2 in Murveit shows a single speech recognition system 200 having a single processor 202. The processor performs a first speech recognition technique on the input. Then, the same processor performs a second speech recognition technique on the input (see column 2, lines 38-64). Nowhere does Murveit teach or even suggest selecting between a single ASR engine and a group of ASR engines. Murveit uses a single engine, not a group of ASR engines.

Anticipation under section 102 can be found only if a single reference shows exactly what is claimed (see *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985)). For at least these reasons, independent claim 8 and its dependent claims are allowable over Murveit.

As another example, claim 8 recites that the means for selecting selects between a single ASR engine and a group of ASR engines. By contrast, Murveit uses a single ASR engine, not a group of ASR engines.

Anticipation is established only when a single prior art reference discloses each and every element of a claimed invention united in the same way (see *RCA Corp. v. Applied Digital Data Systems, Inc.*, 730 F.2d 1440, 1444 (Fed. Cir. 1984)). For at least these reasons, independent claim 8 and its dependent claims are allowable over Murveit.

Claim 14

As one example, claim 14 recites a system having a plurality of different ASR engines. By contrast, Murveit uses a <u>single</u> ASR engine to perform multiple passes for speech input. Specifically, figure 2 in Murveit shows a single speech recognition system 200 having a single processor 202. The processor performs a first speech recognition technique on the input. Then, the same processor performs a second speech recognition technique on the input (see column 2, lines 38-64). Nowhere does Murveit teach or even suggest that system 200 has plural different ASR engines. Murveit uses a single engine, not plural different ASR engines.

Anticipation under section 102 can be found only if a single reference shows exactly what is claimed (see *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985)). For at least these reasons, independent claim 14 and its dependent claims are allowable over Murveit.

As another example, claim 14 recites that the computer system selects either a single ASR engine or multiple ASR engines. By contrast, Murveit uses a <u>single</u> ASR engine to perform multiple passes for speech input. Murveit never selects between a single ASR engine or multiple ASR engines. Murveit teaches a single ASR engine.

Anticipation is established only when a single prior art reference discloses each and every element of a claimed invention united in the same way (see *RCA Corp. v. Applied Digital Data Systems, Inc.*, 730 F.2d 1440, 1444 (Fed. Cir. 1984)). For at least these reasons, independent claim 14 and its dependent claims are allowable over Murveit.

Claim Rejections: 35 USC § 103(a)

Claims 6 and 7 are rejected under 35 USC § 103(a) as being unpatentable over USPN 7,058,573 (Murveit). These rejections are traversed.

As noted above, Murveit does not teach or suggest all the elements of independent claim 1. Claims 6 and 7 depend from claim 1. Thus for at least the reasons provided with respect to independent claim 1, dependent claims 6 and 7 are allowable over Murveit.

CONCLUSION

In view of the above, Applicants believe that all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. 832-236-5529. In addition, all correspondence should continue to be directed to the following address:

Hewlett-Packard Company
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

Respectfully submitted,

/Philip S. Lyren #40,709/

Philip S. Lyren
Reg. No. 40,709
Ph: 832-236-5529